United States District Court of Northern District Of Illinois Eastern Division

FILED

JUL 17 2023

Defran B. Thornton-Bey Aka Defran Thornton Petitioner

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

Case 02-0444 JC

United States of America Respondents

To The First Step Ast- And Appointment of Coursel To File It.

petitioner has been incarcerated for 21 years on a 32 years

Sentence for Possession of a gun and 43 time fags. 922(g) 120

months, 21 usc 84(a)(1) and 860(1) and 924(1) See Ex# 1. I got

for 21 USC 84160() and 8606) (260 to 327) months I got the High

end 327 months, See Ex # 2. 924 (c) I got 60 month run fon -

secretive. I am currently at the Step Down Mental Health Unite

At USP Allenwood I been here going on 8 years.

It was frought to my attention that I qualify for a Sentence Reduction according the "First Step Act" and "Fair Sentence Act". I was also informed a 924(c) is not consective any more.

According to Section 4040 A person Lan not seek relief under the Act more then tuce of the first Motion was Served" After a complete review of the Motion on the Merits. "First Step Act 4046) United States V Shaw 957 F. 3d at 743 (7th Cir 2020).

Thus I sik the court to Appointment Coursel from the Federal Defenders Office to help prepair the Motion For Reduction of Pentence. That it may be PROPER before the fourt And inform the court the Relief for petitioner because petitioner only have one time to get it right.

> Respect Fully Submitted De Tuan B. Thornton-Bey

Certificate of Mail

I De Tran & Thornton-Bey State I sout this Motion For Reduction of Sentence 16 The Clerk of U.S. District Court Norther District Eastern Dir from USP Allen wood on date offited below Respectfully Submitted

July 9, 2023.

July 9, 2023.

July 9, 2023.

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| | DESIGNATION SHEET FOR CRIMINAL PROCEEDINGS W. DORD. |
| 1) | DESIGNATION SHEET FOR CRIMINAL PROCEEDINGS. DISTRIBUTION SHEET FOR CRIMINAL PROCEEDINGS. DISTRIBUTION SHEET FOR CRIMINAL PROCEEDINGS. DISTRIBUTION DOBBIANT IS this an indictment or information arising out of offenses charged in one or more previously-filed lifegistrate's complaints? NO X I YES |
| 2) | Is this an indictment or information that supersedes one or more previously-filed indictments or informations? |
| | NO X YES If the answer is "Yes", list the case number and title of the earliest filed superseded indictment or information and the name of the assigned judge (Local Rule 40.3(b)(2)): |
| 3) | Is this a re-filing of a previously dismissed indictment or information? If the answer is "Yes", list the case number and title of the previously dismissed indictment or information and |
| | the name of the assigned judge (Local Rule 40.3(b)(2)): MAGISTRATE JUDGE DENLOW |
| 4) | Is this a case arising out of the failure of the defendant to appear in a criminal proceeding in this Court? NO X YES If the answer is "Yes", list the case number and title of the criminal proceeding in which the defendant failed to appear (Local Criminal Rule 50.2(3)): |
| 5) | Is this a transfer of probation supervision from another district to this District? NO X YES \square |
| ஏ, | What level of offense is this indictment or information? FELONY X $$ MISDEMEANOR \square |
| 7) | Does this indictment or information involve eight or more defendants? NO X YES \square |
| 8) | Does this indictment or information include a conspiracy count? |
| 9) | Indicate which of the following types of offenses describes the count, other than any conspiracy count, with the most severe penalty: |
| | Homicide (II) |

☐ Post Office Robbery (II) ☐ Liquor, Internal Revenue Laws (IV) ☐ Auto Theft ☐ Food & Drug Laws(IV) □ Other Robbery (II) ☐ Transporting Forged Securities .. (III) □ Assault (III) ☐ Motor Carrier Act(IV) ☐ Forgery ☐ Counterfeiting ☐ Selective Service Act(IV) ☐ Burglary([[V])(III) ☐ Larceny and Theft (IV)
☐ Postal Embezzlement (IV) ☐ Sex Offenses (II)
☐ DAPCA Marijuana (III) ☐ Obscene Mail Other Federal Statutes (UI)

☐ DAPCA Narcotics(III)

10) List the statute of each of the offenses charged in the indictment or information.

Title 18, U.S.C., Sections 922(g)(1) and 924(c) Title 21, U.S.C., Sections 841(a)(1) and 860(a)

Other Embezziement (III)

STUART D. FULLERTON

Assistant United States Attorney

☐ Transfer of Probation Jurisdiction .. (V)

be, automatically becomes a category 6.

without the automatic increase to a category 6, the defendant has a criminal history category 5 by virtue of 11 criminal history points. Defendant also has an extensive list of contacts with law enforcement which did not result in a conviction or which -- or for which a disposition is not known. Therefore, the total offense level for the most serious counts is a total offense level of 34 and a criminal history category of 6. The guideline provisions are guideline -- require a term of imprisonment from 262 to 327 months as well as the consecutive 60-month or five-year sentence on Count 3.

Mr. Thornton, do you want to say anything on your behalf regarding sentencing?

(No response.)

THE COURT: Mr. Fullerton, do you wish to say anything --

MR. FULLERTON: Thank you, Judge.

THE COURT: -- regarding sentencing?

MR. FULLERTON: As I said in the government's version, we feel it's appropriate to sentence Mr. Thornton at the high end of that sentencing range. Mr. Thornton is a recidivist, violent career criminal who was dealing drugs in a public housing project while armed, and there is no reason to think either from his offense conduct -- I mean he was doing this the

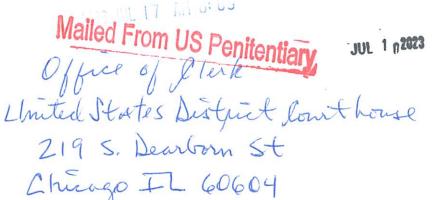
Mor eliel I qualify as a Career Criminal !!
Which would have been category 5 (132 to 160)
months

INMATE NAME/NUMBER: DeTwen Thoruton Bey# 20 791-424 HARRISBURG PA 171
FEDERAL CORRECTIONAL COMPLEX-ALLENWOOD US P
P.O. BOX 3000
WHITE DEER, PA 17887









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